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8
9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 MARCUS MATTINGLY,

15 Defendant.

Case No. 2:21-cr-00230-APG-VCF

**STIPULATION TO CONTINUE
SENTENCING HEARING**
(Second Request)

16
17 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson,
18 United States Attorney, and Melanee Smith, Assistant United States Attorney, counsel for the
19 United States of America, and Rene L. Valladares, Federal Public Defender, and Aden Kebede,
20 Assistant Federal Public Defender, counsel for Marcus Mattingly, that the sentencing hearing
21 currently scheduled for February 22, 2023, be vacated and continued to a date and time
22 convenient to the Court, but no sooner than ninety (90) days.

23 This Stipulation is entered into for the following reasons:

24 1. Defense counsel is seeking to collect documents and reports in support of
25 sentencing mitigation and needs the additional time to obtain such records.
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2. Defendant is incarcerated and does not object to a continuance.

3. The parties agree to the continuance.

4. Additionally, denial of this request for continuance could result in a miscarriage of justice. This is the second request to continue the sentencing hearing filed herein.

DATED this 15th day of February, 2023.

RENE L. VALLADARES
Federal Public Defender

JASON M. FRIERSON
United States Attorney

By /s/ Aden Kebede

By /s/ Melanee Smith

ADEN KEBEDE
Assistant Federal Public Defender

MELANEE SMITH
Assistant United States Attorney

Case No. 2:21-cr-00230-APG-VCF-1

ORDER

DATED this 16th day of February, 2023.

UNITED STATES DISTRICT JUDGE